

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussions is respectfully requested.

Claims 22, 24-28 and 30-37 are pending in the present application. Claims 22, 25 and 28 have been amended and claim 37 has been added by the present amendment.

In the outstanding Office Action, claim 22 was rejected under 35 U.S.C. § 103(a) as obvious over Nakajo in view of Shoji et al.; claim 28 was rejected under 35 U.S.C. § 102(b) as anticipated by Nakajo; claims 25, 26, 30, 31, 33, 34 and 36 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nakajo in view of Shoji et al; claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over the art applied to claim 22 and in view of Jacobs et al.; and claims 27, 32 and 35 were rejected under 35 U.S.C. § 103(a) as unpatentable over the art as applied to claims 22, 31 and 28 and in view of the acknowledged prior art.

The present invention currently includes independent claims 22 and 28. Further, each of these claims have been amended to recite that wherein the recording condition data corresponds to a current recording of data on the optical recording medium and is to be used by a subsequent recording of data on the optical recording medium. These features are supported at least by page 1, lines 8-17 and page 9, lines 1-8 of the specification, for example. Other sections of the application also support the amended features. Therefore, the present invention provides an optical recording method for optically recording media, which is capable of additionally recording information about optimum recording conditions on the count area or lead-in area of the optical recording medium in order to allow a subsequent recording of data on the optical recording medium, using an optimum recording power value included in the recorded optimum recording condition information. (See page 26, lines 14-21 of the specification, for example.)

In rejecting the claims, the Office Action relies on Nakajo as reading out a reference recording condition recorded on an optical recording medium and determining an optimum recording power, based on the reproduced characteristics of

test data. However, it is respectfully noted Nakajo is merely directed to detecting a disk type based on different reflection characteristics. For example, Nakajo determines whether the disk is a Phthalocyanine disk or a Cyanine disk by detecting whether the reflection rate is over 30% or below 25%. (See Table 1 and column 6, lines 34-36, for example). Further, the Office Action cites Figure 8 and the corresponding description of Nakajo in teaching the reading out a reference recording condition recorded on an optical recording medium. However, it is respectfully noted Nakajo merely teaches storing a plurality of control information concerning a laser modulation system used during recording a recording mode for plural types of disks in a control information memory 20 mounted on the optical disk recording device. (See column 7, lines 4-6 and column 2, line 65 to column 3, line 2). This information is not stored on the optical medium. The only information stored on the recording medium in Nakajo is an identification number of a manufacturer, a disk type code number, and a code number representing the recording medium. (See Column 5, lines 52-59, for example). The recording speed and write strategy are not stored on the recording medium as in the present invention.

Further, the Office Action relies on Shoji et al. as storing a recorder ID on the optical medium. However, it is respectfully noted Nakajo and Shoji et al. do not teach or suggest the recording condition data corresponding to a current recording of data on the optical recording medium, which is to be used by a subsequent recording of data on the optical recording medium. Rather, the information only relates to a current recording and is not used by a subsequent recording process. The other references noted in the Office Action also do not teach or suggest these features.

Accordingly, it is respectfully submitted independent claims 22 and 28 and each of the claims depending therefrom are allowable.

Further, dependent claim 25 has been amended to clarify that, if the subsequent recording of the data is performed by a recorder having a different recorder identification than a recorder having the recorder identification for the current recording of the data or a recording speed of the subsequent recording of the data is different than a recording speed of the current recording of the data, the

method further comprises recording new recording condition data corresponding to the subsequent recording of the data on the specific area of the optical recording medium.

Newly independent claim 37 is similar to amended dependent claim 25, but depends on independent claim 28. It is respectfully noted the applied art also does not teach or suggest these features. Accordingly, it is respectfully submitted dependent claims 25 and 37 further define over the applied art.

CONCLUSION

In view of the above amendments and remarks, issuance of a Notice of Allowance is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone David A. Bilodeau, Registration No. 42,325, at (703) 205-8072, in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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